



April 9, 2018

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Ministry of Community Safety and Correctional Services  
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Via email: [adriana.ibarguchi@ontario.ca](mailto:adriana.ibarguchi@ontario.ca)

**Re: Failure to regulate processing fees and timelines in proposed regulations under the Police Record Checks Reform Act (2015)**

Dear Adriana,

I am writing to provide the Ontario Nonprofit Network's (ONN) response to the recent regulatory proposal summarized on the Ontario Regulatory Registry prior to these regulations being posted in relation to the Police Record Checks Reform Act (PRCRA).

As you know, ONN has long advocated for a regulatory framework for police record checks in Ontario to provide consistency and predictability for volunteers and nonprofit employees as well as employers and stewards of volunteers. We were pleased to support the PRCRA when it was passed in 2015 and eagerly await its proclamation more than two years later.

ONN does not take a position on the Exemptions Regulation as it concerns legal questions outside our area of expertise. Instead, ONN continues to defer to the legal expertise of our network partners, the John Howard Society of Ontario and the Canadian Council on Civil Liberties, on appropriate exemptions, as well as more generally on questions related to the conditions under which non-conviction information is disclosed. That said, we note the Exemptions Regulation provides an additional **one-year exemption** following coming-into-force of the PRCRA for employees, volunteers, and service providers in **schools and child care settings**; as well as a **permanent exemption** for employees, volunteers, and service providers in **residential care homes for children and youth** and will share this information with our network.

ONN supports the content of the Operational Requirements Regulation in that we approve of the consent mechanisms that ensure individuals may see the content of their records before consenting to sharing them with employers and stewards of volunteers. We also support the proposed process for requests for reconsideration.

**We note, however, that your Ministry's regulatory proposals fail to address a major issue with which ONN is concerned and has been advocating for since 2012: the need for standardized timelines and processing fees for police record checks.** While the

Operational Regulation would impose a maximum of 30 days for the processing of a *reconsideration* request, it does not impose a maximum for initial processing times. Processing times should be limited and, at least for volunteers at Ontario nonprofits, processing fees should be waived; **both fees for volunteers and timelines for processing checks should be specified in regulations.**

As we have suggested on previous occasions, ONN would ultimately like to see police record checks legislation complemented by two systems that would further reduce the administrative burden on nonprofits:

- A central screening service that provides clear results (pass/fail/adjudicate/appeal) for vulnerable sector checks (in place in [British Columbia](#)) instead of police record information that nonprofits must interpret themselves.
- A program that covers the costs of volunteer police record check for eligible nonprofit organizations if the fees are not waived (as in [Alberta](#)).

In the meantime, we ask that your proposed regulatory framework address processing fee waivers for volunteers and timelines for processing police record checks. Thank you for the opportunity to respond to your regulatory consultation.

Sincerely,



Cathy Taylor  
Executive Director

Copy to: Alice Young, Director of Strategic Policy, Research and Analytics, Ministry of  
Citizenship and Immigration via [alice.young@ontario.ca](mailto:alice.young@ontario.ca)

*The Ontario Nonprofit Network (ONN) is the independent nonprofit network for the 55,000 nonprofits and charities in Ontario, focused on policy, advocacy, and services to strengthen Ontario's nonprofit sector as a key pillar of our society and economy. ONN works to create a public policy environment that allows nonprofits and charities to thrive. We engage our network of diverse nonprofit organizations across Ontario to work together on issues affecting the sector, and channel the voices of our network to government, funders, and other stakeholders. Our work is guided by the vision that a strong nonprofit sector leads to thriving communities, and in turn, a dynamic province.*